

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DARRELL JOHNSON,

Plaintiff,

v.

CAROL PORTER *et al.*,

Defendants.

Case No. C06-5342RBL

ORDER DENYING FURTHER
EXTENSION OF TIME

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). This action was originally filed June 20, 2006. Plaintiff was given leave to proceed *in forma pauperis*. The court reviewed the complaint and found it deficient. Plaintiff was ordered to file an amended complaint (Dkt. # 9). The amended complaint was due September 29, 2006 (Dkt. # 9). On September 18, 2006, the court extended the time for filing an amended complaint until November 10, 2006 (Dkt. # 13). Plaintiff then asked for an extension of time and that motion was granted (Dkt. # 14 and 16). An amended complaint was due on or before January 26, 2007 (Dkt. # 16). On January 17, 2007, plaintiff asked for yet another extension of time or in the alternative that he be allowed to withdraw his complaint (Dkt. # 18).

ORDER

1 This case has languished for more than eight months. There is still not an acceptable
2 complaint on file. There will be no further extension of time. Plaintiff's motion to extend time is
3 **DENIED.**

4 Plaintiff's motion to withdraw his complaint is a dispositive motion. Dispositive motions
5 require a Report and Recommendation. The Report and Recommendation will be prepared.

6 The Clerk is directed to send plaintiff a copy of this Order.

7
8 DATED this 9 day of February, 2007.

9
10 /S/ J. Kelley Arnold
11 J. Kelley Arnold
12 United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER